AO 440 (Rev. 8/01) Summons in a Civil Action

FILED

UNITED STATES DISTRICT COURT

EASTERN District of VIRGINIA

2007 OCT 12 P 12:24

CLERK US DISTRICT COURT
ALEXANDRIA, VIRGINIA

SmithKline Beecham, SmithKline Beecham PLC and Glaxo Group Ltd.

V.

John Dudas, In his Official Capacity and The United States Patent & Trademark Office

SUMMONS IN A CIVIL ACTION

CASE NUMBER: 1:07 cv 1008

TO: (Name and address of Defendant)

The United States Patent & Trademark Office
Serve (pursuant to 37 C.F.R. 104.2)
Office of the General Counsel
United States Patent & Trademark Office
10B20 Madison Building East
600 Dulany Street, Alexandria, VA 22313

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Elizabeth M. Locke
Kirkland & Ellis LLP
655 15th Street, NW
Washington, DC 20005

an answer to the complaint which is served on you with this summons, within 60 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

Fernando Galindo, Clerk

CLERK OF COURT

DATE 10/9/07

(By) DEPUTY CLERK [signature]

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RETURN OF SERVICE

Service of the Summons and complaint* was made by me[1]	DATE 10-10-07 at 2:00 p.m.
NAME OF SERVER (PRINT) Melvin M. Shapiro	TITLE Private Process Server

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served:

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

☐ Returned unexecuted:

☒ Other (specify): By serving Elisa Jackson, General Counsel, authorized to accept. service was completed at 600 Dulany Street, Alexandria, Virgiia 22313.

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL $0.00

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on 10-11-07
Date

Signature of Server

Capitol Process Services, Inc.
1827 18th Street, N.W.
Washington, D.C. 20009
(202) 667-0050

Address of Server

* Civil Cover Sheet, Plaintiffs' Corporate Disclosure Statement Pursuant to Fed.R.Civ.P.7.1 and Local Rule 7.1 and Exhibit A

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.